



MUNICIPAL PLANNING COMMISSION

Hollie Berry
Mayor

Tim Thornbury
City Manager

MINUTES
January 21, 2021
6:00 p.m.
Virtual meeting via Zoom

I. CALL TO ORDER

Commissioner Cannon called the meeting to order at 6:03 PM.

II. ROLL CALL

Commissioner Cannon called the roll. Commissioners Browder, Cannon, Luther, Millard and Skonberg were in attendance. Ashley Gates, the Commission's planning advisor from the Southeast Tennessee Development District was also present.

III. INVOCATION

Commissioner Millard gave the invocation.

IV. PLEDGE OF ALLEGIANCE

Commissioner Browder said the Pledge of Allegiance.

V. CONSIDERATION OF THE MINUTES

A. November 21, 2019 Meeting Minutes

Commissioner Browder asked for any corrections to the minutes. Having none, Commissioner Browder motioned to approve the minutes as written. Commissioner Millard seconded the motion. The motion passed unanimously.

VI. NEW BUSINESS

1. Election of Officers

Ashley Gates opened the floor to nominations for Chairman of the Planning Commission. Commissioner Cannon nominated Commissioner Browder. Commissioner Millard seconded the nomination. Commissioner Browder was elected as chairman unanimously.

Ashley Gates opened the floor to nominations for Vice Chairman of the Planning Commission. Commissioner Browder nominated Commissioner Millard. Commissioner Cannon seconded the nomination. Commissioner Millard was elected as chairman unanimously.

Ashley Gates opened the floor to nominations for Secretary of the Planning Commission. Commissioner Browder nominated Commissioner Cannon. Commissioner Luther seconded the nomination. Commissioner Cannon was elected as chairman unanimously.

2. Revised Plat for Freeman Family Subdivision, Lots 3 & 4
Staff stated that the applicant had requested that the plat be tabled.

Commissioner Cannon motioned to table the plat. Commissioner Luther seconded the motion. The motion was approved unanimously.

3. Request to Rezone 8 Gaylord Street from R-1A to R-3
Staff stated that the applicant has requested to rezone the property at 8 Gaylord Street from R-1A to R-3. The existing duplex is a legal non-conforming use, meaning that it is legal to be used a duplex but a new duplex could not be built on this lot.

Staff stated that the applicant's intent is to use half of the property as a short-term rental unit, and the other as a long-term rental unit. Short-term rental units are permitted on R-3, R-4, R-5 and in commercial zones. Only one short-term rental unit is permitted per building.

Staff recommend strict conditions that will revert the zoning to R-1A should the property owner's license be revoked or lapse more than 90 days. This condition will limit any future development of the property, not allowing other R-3 uses.

Staff also recommend that the Planning Commission consider whether this property could operate safely and without harm to the neighboring property owners.

Joel Farbman, stated that he wished to bring his property into compliance and that it would need to be rezoned. He stated that he has high standards for the renters of the property and that he has good relationships with his neighbors. He also stated that all the renters provide verified contact information. He also stated that the property helps to promote Red Bank and that they will provide taxes to the city.

Commissioner Skonberg asked if he was a resident of Red Bank. Mr. Farbman stated that they lived just outside the city limits.

Commissioner Millard asked how much it rents for each night and if there is a minimum stay. Mr. Farbman stated that it rents about \$80 per night during the week and \$170 on the weekends plus taxes and fees. He stated there is no minimum stay.

Commissioner Browder asked how long they had been operating the property as a short term rental. Mr. Farbman stated that he purchased it about a year ago then had to spend a couple months to renovate the property. Commissioner Browder asked if they had looked into the rules about running a short term rental. Mr. Farbman stated that it was

sold to him as multi-family and that he was under the impression that the property could be used as a short term rental.

Commissioner Cannon stated that when they put together the short-term rental regulations that they had studied carefully where they should allow them. He stated that this would be in opposition to the regulations they had passed. Commissioner Browder stated that she felt the R-3 would be spot zoning.

Susan Brogan of 20 Gaylord stated that she has concerns with who the renters may bring with them or invite over.

Ronda Mayhan of 3 Gaylord stated that it would be detrimental to the residents of the streets due to potential type of renters and the additional traffic.

Chloe Rogan of 20 Gaylord Street asked if it would be an owner-occupied duplex. The applicant stated that it would not. She had concerns regarding future precedence.

Stephen Olmstead stated that he is on the fence. He has experienced many renters at another nearby units having late night parties. He does appreciate having the applicant's number to contact them about any issues.

Monica James of 3324 Martin Road spoke against the rezoning.

Mike Cinelli has long term rentals and short-term rentals in Chattanooga. He stated that the short-term rentals have been safer without serious problems relative to the long-term rentals. He wanted to give his perspective on owning these types of properties.

Brownwyn Powell of Crisman Street wrote a letter stating that she had concerns about safety.

Commissioner Browder closed the public hearing.

Commissioner Skonberg commented that she would like to do more work on the short-term rental regulations.

Commissioner Cannon made a motion to recommend to the Board of Commissioners that they deny rezoning 8 Gaylord Street from R-1A to R-3. Commissioner Skonberg seconded the motion. The motion passed unanimously.

4. Request to Rezone 1010 Lullwater Road from R-1 to R-T/Z

Staff stated that the property owner wishes to subdivide 1010 Lullwater Road into two lots for single family homes. The reason a rezoning is needed is because the width of the lots would have to be under 60 feet.

The property is under a sewer moratorium, so development could not begin on the second house until the moratorium is lifted.

Staff stated that Lullwater Road has seen significant redevelopment in recent years, with several properties being rezoned to R-T/Z, and the proposed rezoning was compatible with this pattern. Staff recommend approval with no conditions.

The applicant stated that she is planning to build high end homes on these lots and to maintain the existing trees wherever possible.

Commissioner Luther motioned to recommend approval of the rezoning of 1010 Lullwater Road from R-1 to R-T/Z. Commissioner Cannon seconded the motion. The motion passed unanimously.

5. Request to Rezone 303 and 305 Hedgewood from R-1 to RT-1

Staff stated that the property at 303 and 305 Hedgewood Drive is currently used as Single-family residential. Cynthia Carver has requested that the property be rezoned to RT-1 in order to build six townhomes.

Staff stated that these parcels abut one family residence and multi-family developments and the proposed density would be compatible with the existing land use in the area. Additionally, keeping higher density developments in close proximity will further protect single-family neighborhoods as demand for housing continues to increase, which is a stated goal the Red Bank Land Use Plan.

The applicant stated that they do not intend to build these units in the immediate future.

Commissioner Cannon stated that it was in line with the other development in the area, but that he had concerns about stormwater runoff. Mayor Hollie Berry also spoke as a resident of the area and stated that she also had concerns regarding the runoff.

Commissioner Cannon motioned to recommend approval of the rezoning of 303 and 305 Hedgewood from R-1 to RT-1 with the condition that stormwater infrastructure be installed that conveys post construction waters the same or better than pre-construction waters. Commissioner Millard seconded the motion. The motion passed unanimously.

6. Subdivision Regulations amendment to road profile drawings

Staff change in the Subdivision Regulations is simply to fix an error in the most recent version. The referenced specifications are difficult to find in the MTAS manual, staff proposed added the curb detail drawings to the Appendix. Staff stated that this does not alter the requirements for curbs in anyway.

Commissioner Cannon motioned to approved the amendment to the Subdivision Regulations. Commissioner Millard seconded the motion. The motion passed unanimously.

VII. UNFINISHED BUSINESS

1. **Request to Rezone 5309 Delashmitt Road from R-1 Residential to R-T/Z Residential**

Staff stated that Mike Cinelli is returning to with a request to have up to three single-family residential units approved on this property. The R-T/Z zoning is necessary to have lot

frontage of 45-feet on the narrowest lot. Staff stated that the earlier request included a request for four lots, and that the applicant had reduced it to three.

Staff stated that lot is just under one acre, and 3 units per acre is very similar to the density of the surrounding neighborhood, except for the home on the large lot to the rear. Staff stated that they had heard from that property owner who wished to ensure that the correct property lines are agreed upon and recorded.

Staff recommend approval of this rezoning, with the condition that only single-family detached homes be built with a maximum density of 3 units per acre.

No public comments were made. Staff stated that she had received comment from Lynne Rousseau of 5304 Delashmitt Road who had concerns about increased rental properties in the area.

Commissioner Millard motioned to recommend approval of 5309 Delashmitt Road from R-1 Residential to R-T/Z Residential with the condition that the density of development be limited to 3 units per acre. Commissioner Cannon seconded the motion. The motion passed unanimously.

VIII. OTHER BUSINESS

No other business was presented. Commissioner Millard motioned to adjourn. Commissioner Cannon seconded the motion. The meeting was adjourned at 7:55 PM.


Chairman